

WP(C) 90/2016

BEFORE

HON'BLE MR. JUSTICE MANOJIT BHUYAN

Heard Mr. HA Ahmed, learned counsel representing the petitioners. Also heard Ms. B Dutta, learned Senior counsel representing the State respondents, assisted by Mr. A Sarma, Advocate.

The petitioners 18 in number claim that pursuant to Advertisement dated 24.12.2014 issued by the Chairman of State Level Police Recruitment Board for selection and appointment of AB Constables, the petitioners had responded to the same. All the petitioners belong to Dhubri district and the number of posts earmarked for that particular district is 428 numbers of posts. According to the petitioners, they had appeared in the physical standard test and physical efficiency test and had duly qualified. Their names have also been shown in the merit list of the qualifying candidates. Pursuant thereof, a written test was also held on 28.6.2015 but no result has been published till date. The petitioners are aggrieved of the Notice dated 26.8.2015 issued under the hand of the Chairman, State Level Police Recruitment Board, Assam, whereby the entire selection process initiated in terms of the Advertisement dated 24.12.2014 have been cancelled. Learned counsel for the petitioner submits that WP(C) 5438/2015 has been filed by a section of persons similarly situated challenging the cancellation order and this Court while issuing Notice has also passed an interim order staying the operation of the Notice dated 26.8.2015.

In so far as the present case is concerned, and on a pointed query of this Court, learned counsel representing the petitioners submits that in so far as the petitioner Nos.3, 5, 8, 11, 12, 13, 14, 15, 16, 17 and 18 are concerned, their names do not figure in the merit lists enclosed to the writ petition. No statement to that effect has also been made in the writ petition. For the fact that there is suppression of material fact, this writ petition cannot be entertained any further. The petitioners, particularly, petitioner Nos.3, 5, 8, 11, 12, 13, 14, 15, 16, 17 and 18 are also not entitled to the same benefit as has been given by this Court in WP(C) 5438/2015. On this ground alone, this writ petition does not merit consideration and is accordingly, dismissed. No costs.